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IN THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Case No. 2:11-CR-00647 TS

Plaintiff,

v.

FIFTH NOTIFICATION OF
COMPLIANCE AND REQUEST FOR
RECIPROCAL DISCOVERY

JOSE GUADALUPE ALANIS-BOTELLO,
JOSE LUIS ARREOLA-VILLA
CONSTANTINO CERVANTES-LOPEZ,
ANTONIO GARCIA-HUITRON,
JUAN GONZALEZ-OLVERA,
JOSE GUADARRAMA-OSORIO,
LUCAS GUADARRAMA-OSORIO,
GUADALUPE INARES-CERVANTES,
JOSE MARINTEZ-SANDOVAL,
JOSE SANTOS MARTINEZ-SANDOVAL,
NATIVIDAD MARTINEZ-SANDOVAL,
ARMANDO MATA-CHAVEZ,
RIGOBERTO MAULION-ARREOLA,
HUBER MELCHOR-CABRERA,
SERGIO PEREZ-SERRATO,
RAUL RAMIREZ-AGUILAR,
ISRAEL SALLAVEDRA-PULIDO,
SALVADOR VALENZUELA-ARIAS,
ISIDRO VARGAS-TELLEZ,
EUGENIO VILLA-LOPEZ,
HUBER AVALOS-SEGUNDO,
RAMIRO JOSE-QUIROZ,
FELIX ROJAS-RAMIREZ,
LORENZO VILLASENOR-AGUILAR,
ALFREDO LOZANO-BENITEZ,

RODRIGO ARELLANO-GURROLA,
EDUARDO GONZALEZ-DIAZ,
PAULINO HERNANDEZ-BRITO,
ALFONSO PEREZ-SERATO,
JORGE SOTO-CEBALLOS,
EUSTOLIO SOTO-ORTIZ,

Defendant.

The United States of America, by and through the undersigned, hereby files its notification of compliance with its discovery obligations in this case and request for reciprocal discovery from the defendant.

The United States gives notice that the following is being or has been provided to counsel for the defendant:

1. 1 CD bates stamped 00585-00613
2. 1 DVD bates stamped 00614
3. 1 CD bates stamped 00615

As additional discoverable material becomes available, such material will be provided within a reasonable time. Throughout this case, the United States will provide material discoverable under Rules 16 and 26.2 of the Federal Rules of Criminal Procedure and the Jencks Act without requiring the defendant to make a specific request for such material. Upon the request of the defendant, the United States will permit and facilitate the defendant's own inspection, copying or photographing of those items described/defined in Rule 16(a)(1)(E).

The United States also hereby requests disclosure of evidence by the defendant (also known as reciprocal discovery) pursuant to Rule 16(b) of the Federal Rules of Criminal Procedure and DUCrimR 16-1(c). By providing Rule 16 discovery without requiring a specific request from the defense, the United States invokes a reciprocal obligation on the defendant under DUCrimR 16-1(c), which states that the defendant must allow the government to inspect and to copy the following, as further defined in Rule 16 of the Federal Rules of Criminal Procedure:

- a. Documents and tangible objects the defendant intends to introduce as evidence at trial;
- b. Reports of examinations and tests the defendant intends to introduce at trial or that were prepared by a witness whom the defendant intends to call at trial; and
- c. A written summary of the testimony of any expert the defendant intends to use a trial under Federal Rules of Evidence 702, 703 and 705.

The United States requests that the defendant provide to the government at a reasonable time before trial, but no later than five working days before trial, copies of the material referenced in this paragraph. Further, the United States requests continuing compliance with the reciprocal discovery following the initial disclosure.

The United States also hereby requests all written and recorded statements by any witness other than the defendant whom the defendant intends to call at trial or a hearing covered by the Jencks Act or Rule 26.2 of the Federal Rules of Criminal Procedure.

DATED this 10th day of February, 2012.

DAVID B. BARLOW
United States Attorney

/s/ Matthew L. Bell

Matthew L. Bell
Assistant United States Attorney

CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that I am an employee of the United States Attorney's Office, and that a copy of the foregoing Fifth Notification of Compliance was mailed postage prepaid, delivered through interoffice mail or electronically filed to all parties named below, this 10th day of February, 2012.

Robert Breeze
Defense Attorney

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Defense Attorney

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Defense Attorney

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Defense Attorney

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/s/ Laurie Richardson

Laurie Richardson
Legal Assistant